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27 **BEFORE THE ARIZONA CORPORATION COMMISSION**

28 COMMISSIONERS

JIM O'CONNOR - CHAIR
LEA MÁRQUEZ PETERSON
ANNA TOVAR
KEVIN THOMPSON
NICK MYERS

IN THE MATTER OF THE APPLICATION
OF TUCSON ELECTRIC POWER
COMPANY FOR THE ESTABLISHMENT

DOCKET NO. E-01933A-22-0107

SIERRA CLUB, ARIZONA SOLAR ENERGY INDUSTRIES ASSOCIATION, SOLAR ENERGY INDUSTRIES
ASSOCIATION, WESTERN RESOURCE ADVOCATES, VOTE SOLAR, WILDFIRE, SOUTHWEST ENERGY
EFFICIENCY PROJECT, AND THE CITIZEN GROUPS JOINDER IN HOPI' TRIBE'S MOTION TO COMPEL

1 OF JUST AND REASONABLE RATES
2 AND CHARGES DESIGNED TO REALIZE
3 A REASONABLE RATE OF RETURN ON
4 THE FAIR VALUE OF THE PROPERTIES
5 OF TUCSON ELECTRIC POWER
6 COMPANY DEVOTED TO ITS
7 OPERATIONS THROUGHOUT THE
8 STATE OF ARIZONA AND FOR
9 RELATED APPROVALS

**SIERRA CLUB, ARIZONA SOLAR
ENERGY INDUSTRIES ASSOCIATION,
SOLAR ENERGY INDUSTRIES
ASSOCIATION, WESTERN
RESOURCE ADVOCATES, VOTE
SOLAR, WILDFIRE, SOUTHWEST
ENERGY EFFICIENCY PROJECT,
AND THE CITIZEN GROUPS JOINDER
IN HOPI' TRIBE'S MOTION TO
COMPEL**

10 Sierra Club, Arizona Solar Energy Industries Association (AriSEIA), Solar Energy
11 Industries Association (SEIA), Western Resource Advocates (WRA), Vote Solar, Wildfire,
12 Southwest Energy Efficiency Project (SWEET), and the Citizen Groups (collectively the Joint
13 Signatories) hereby join in support of Intervenor Hopi Tribe's Motion to Compel requesting that
14 the Commission direct Tucson Electric Power (TEP) to provide an official transcript to
15 intervenors, as well as read-only copy of the transcript for the public in this matter. There is
16 substantial precedent for the Commission to require this in this case, as it does in many other
17 matters before it.

18 In every Line Siting matter before the Commission, applicants, including Arizona's
19 utilities, are required to make a transcript publicly available at no cost, as a component of each
20 Line Siting procedural order (paragraph 21).¹ This demonstrates that the ability to provide access

23 ¹ The language reads, "The Applicant shall make arrangements for the preparation of expedited court reporter
24 transcripts of all pre-filing conferences, all pre-hearing conferences, and the hearing, so that the transcripts are
25 available for public inspection within three working days after each hearing date, as required by A.R.S. §§38-
26 431.01(D) and 40-360.04(C). In addition, the Applicant shall file a certification with Docket Control that it has
27 provided a copy of the transcripts to two public libraries identified in the certification that are in the vicinity of the
28 proposed route and alternates in the Application. The Applicant shall also post the transcripts on the Applicant's
project website at: []. Transcripts shall remain on the Applicant's project website until 30 days after the final decision
has been issued by the Commission."

SIERRA CLUB, ARIZONA SOLAR ENERGY INDUSTRIES ASSOCIATION, SOLAR ENERGY INDUSTRIES
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1 to transcripts is both feasible and within the Commission's authority. Further, the Hearings
2 Division required Arizona Public Service (APS) to provide transcripts to all intervenors in its
3 2019 rate case, docket number E-01345A-19-0236. APS did this by negotiating with Glennie
4 Reporting Services to obtain a single "read-only" version of the transcript that was then
5 distributed to the parties. The Joint Signatories inquired with TEP as to whether the Company is
6 seeking a similar arrangement in this case, but have received no response, thus necessitating this
7 Motion.
8

9 Glennie Reporting Services estimates that at its standard rate, total transcript costs would
10 be over \$11,500. While Glennie Reporting Services has offered a discount to nonprofit
11 intervenors of \$.88 per page, this would still result in total estimated transcript costs of over
12 \$8,500---an unfeasible, prohibitive expense for many intervenors in this case, including
13 individuals, nonprofit organizations, and tribes. Further, a portion of the archive video of the
14 April 4, 2023 hearing in this proceeding is not available on the Arizona Corporation
15 Commission's website, thereby eliminating additional mechanisms available to access the
16 proceeding.
17

18 Without access to hearing transcripts, many intervenors' participation in the case will be
19 unfairly impeded. There is no procedural basis to create a distinct financial threshold requirement
20 in order for the Joint Signatories to maintain their equal footing to other parties that are
21 financially able to pay. The current practice advantages the applicant, one of the few parties to
22 the case with the financial ability to obtain a transcript, while disadvantaging numerous parties
23 to this matter. Even at a discounted rate, the proposed transcript costs preclude many intervenors
24
25
26

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1 from obtaining transcripts and significantly complicates their advocacy abilities, including the
2 drafting of post-hearing briefing.

3 The Joint Signatories request the Commission order the Company to provide full
4 transcript access at no cost.
5

6 RESPECTFULLY SUBMITTED this 12th day of April, 2023.

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16 ORIGINAL of the foregoing electronically
17 filed this 12th day of April, 2023, with:

18 Docket Control
19 ARIZONA CORPORATION COMMISSION
20 1200 W. Washington Street
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21 Copies of the foregoing emailed
22 this 12th day of April, 2023 to:

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